

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

ARTHUR MARTYNUSKA

Magistrate No. 24-1869
[UNDER SEAL]

**MOTION FOR LIMITED UNSEALING OF
THE AFFIDAVIT IN SUPPORT OF THE CRIMINAL COMPLAINT**

AND NOW comes the United States of America, by its attorneys, Eric G. Olshan, United States Attorney for the Western District of Pennsylvania, and Barbara K. Doolittle, Assistant United States Attorney for said District, and respectfully submits the following:

1. On November 6, 2024, the Honorable Patricia L. Dodge, U.S. Magistrate Judge, signed a federal criminal complaint at the above-captioned case number, charging Arthur MARTYNUSKA with three counts related to the sexual abuse of minors.

2. The Criminal Complaint (ECF Doc. No. 3) is based upon the facts set forth in the accompanying Affidavit (ECF Doc. No. 3-1), which was filed under seal to protect the minor victim in this case. *See* 18 U.S.C. § 3509 (Child Victims' and Child Witnesses' Rights Act).

3. The defendant, MARTYNUSKA, is scheduled to have his initial appearance at one o'clock p.m. before a U.S. Magistrate Judge Dodge on November 6, 2024. The United States respectfully requests that the Court authorize a limited unsealing of the Affidavit supporting the Complaint (ECF Doc. No. 3-1).

4. In this case, the Affidavit provides personal details that may identify the minor victim, to including the relationship of the defendant to the victim and the victim's address. While the name of the minor victim is not contained therein, the United States requests that the affidavit

be sealed to protect the minor victim's privacy. *See* 18 U.S.C. § 3771 (privacy protection measures contained within the Crime Victim Rights Act); 18 U.S.C. § 3509 (privacy protection measures required by the Child Victims' and Child Witnesses' Rights Act). *See United States v. Wilson*, Case No. 1:22-cr-77, 2022 WL 2679433 (N.D. Miss. July 11, 2022) (unpublished).

5. The United States underscores that the defendant is *not* asking to seal the Criminal Complaint itself (ECF Doc. No. 3), which does not reference the victim or any identifying information.

6. For the above reasons and in the interest of justice, the United States respectfully requests that the Court authorize a limited unsealing of the Affidavit to the Criminal Complaint in this case, thus permitting only the Court and the parties to have access to the document.

7. A proposed Order is attached.

Respectfully submitted,

ERIC G. OLSHAN
United States Attorney

By: /s/ Barbara K. Doolittle
BARBARA K. DOOLITTLE
Assistant United States Attorney
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